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PTO/SB/21 (07-06)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/574,463

Filing Date

Effective Filing Date 12/4/2005

First Named Inventor

Crees

Art Unit

Examiner Name

Attorney Docket Number

X-9549

**ENCLOSURES (Check all that apply)**☐

Fee Transmittal Form

☐

Fee Attached

☒

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/  
Incomplete Application☐Reply to Missing Parts  
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a  
Provisional Application☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) \_\_\_\_\_

☐

Landscape Table on CD

☐

After Allowance Communication to TC

☐Appeal Communication to Board  
of Appeals and Interferences☐Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☒Other Enclosure(s) (please identify  
below):

Remarks

Original Patent Declaration, copy of Notice of 8/27/07

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Gipple &amp; Hale

Signature

Printed name

John S. Hale

Date

8/29/2007

Reg. No.

25,209

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/574,463	Lawrence Carl Crees	X9549

615  
JOHN S. HALE  
GIPPLE & HALE  
6665-A OLD DOMINION DRIVE  
MCLEAN, VA 22101

INTERNATIONAL APPLICATION NO.

PCT/GB04/02379

I.A. FILING DATE

06/04/2004

PRIORITY DATE

06/04/2003

CONFIRMATION NO. 2549

371 FORMALITIES LETTER



\*OC000000025508962\*

Date Mailed: 08/27/2007

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 04/03/2006
- Copy of the International Search Report filed on 04/03/2006
- Preliminary Amendments filed on 04/03/2006
- Oath or Declaration filed on 04/23/2007
- U.S. Basic National Fees filed on 04/03/2006
- Assignment filed on 04/23/2007
- Priority Documents filed on 04/03/2006
- Specification filed on 04/03/2006
- Claims filed on 04/03/2006
- Abstracts filed on 04/03/2006
- Drawings filed on 04/03/2006

DOCKETED

Due 9-27-07  
By [Signature]

Applicant's response filed 04/23/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 12/22/2006 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - Printed names of inventors not legible

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebs>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/574,463	PCT/GB04/02379	X9549

FORM PCT/DO/EO/916 (371 Formalities Notice)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

CREES

Serial No.: 10/574,463

Effective Filing Date: December 4, 2005

For: BIOLOGICAL APPARATUS

Attn: Barbara A. Campbell

Commissioner for Patents  
P.O. Box 1450  
Alexandria, V 22313-1451

Sir:

**RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE**

Pursuant to the Notification of Defective Response under 35 USC 371 in the United States Designated/elected Office, dated August 27, 2007 (copy attached), Applicant hereby submits the following executed papers:

1. Original Declaration, with the legible printed names of the inventors.

Please identify this application on the Office Filing Receipt as Attorney Docket Number X-9549. Should any fees be required, kindly debit our Deposit Account Number 07-1340 as required.

Respectfully submitted,

GIPPLE & HALE

  
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John S. Hale  
Registration No. 25,209

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